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6 Attorney for Defendant  
7

8 IN THE UNITED STATES DISTRICT COURT

9 FOR THE DISTRICT OF ARIZONA

10 United States of America,

NO. CR21-2714-TUC-RM (MSA)

11 Plaintiff,

**MOTION TO CONTINUE  
TRIAL AND EXTEND PLEA  
DEADLINE**

12 v.

14 Devonte Okeith Mathis,

(Third Request – In Custody)

15 Defendant.  
16

17 It is expected that excludable delay under Title 18, United States Code,  
18 § 3161(h)(7)(A), (B)(iv), will occur as a result of this motion or an order based thereon.

19 Defendant, Devonte Okeith Mathis, through counsel, requests a 60-day  
20 continuance of the trial date currently scheduled for April 26, 2022, and to extend the  
21 plea deadline currently set for April 8, 2022. This request is made for the following  
22 reasons:

- 23
- 24 1. Defense counsel has recently received volumes of supplemental electronic  
25 disclosure, including numerous videos, that required significant time  
26 merely to download. Counsel will need additional time to actually review  
27

said disclosure, and then to review it with Mr. Mathis. Additional time is needed to conduct investigation and pretrial preparation for a trial or a non-trial disposition.

2. Assistant United States Attorney, Dimitra Sampson, has no objection to this request.

3. Denial of this request to continue will result in a miscarriage of justice. 18  
U.S.C. § 3161(h)(7)(B)(i).

4. This is the third request to continue. Mr. Mathis is in custody.

Counsel requests that a scheduling order not be issued at this time as an order may negatively impact Mr. Mathis's opportunity to take advantage of a government offer.

In the interest of judicial economy and in order to resolve any pretrial matters efficiently, counsel requests a continuance of 60 days of the plea deadline and trial date set. This request is not made for the sole purpose of delay.

RESPECTFULLY SUBMITTED: April 12, 2022.

JON M. SANDS  
Federal Public Defender

s/ Walter Eric Rau  
W. ERIC RAU  
Attorney for Defendant

ECF copies this date to:

DIMITRA SAMPSON  
KEITH VERCAUTEREN  
LINDSAY SHORT, Assistants  
United States Attorney's Office